

REMARKS

Claims 1-16 and 18-30 are pending in the present application.

Claim 17 has been previously canceled without prejudice or disclaimer.

Claims 1-14, 18, and 20-22 stand withdrawn from consideration.

Claim 26 has been amended. No new matter has been added.

Reconsideration and allowance are respectfully requested in view of the following remarks.

Claim Rejection Under 35 U.S.C. § 112, Second Paragraph

Claim 26 stands rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Claim 26 has been amended to delete the phrase "and derivatives thereof." Thus, Applicants respectfully request the withdrawal of the rejection of Claim 26.

Claim Rejections Under Nonstatutory Double Patenting

Claims 15-16, 19, and 23-30 stand rejected under nonstatutory obviousness-type double patenting over Claims 18-36 of U.S. Patent No. 7,040,314 (see pages 3-4). In view of the Terminal Disclaimer submitted herewith, Applicants request the withdrawal of the rejection of Claims 15-16, 19, and 23-30.

Claims 15-16, 19, and 23-30 stand rejected under nonstatutory obviousness-type double patenting over Claims 26-41 of U.S. Patent No. 5,743,251 in view of U.S. Publication No. 2004/0202617 (see pages 4-5). In view of the Terminal

Disclaimer submitted herewith, Applicants request the withdrawal of the rejection of Claims 15-16, 19, and 23-30.

Claims 15-16, 19, and 23-30 stand rejected under nonstatutory obviousness-type double patenting over Claims of U.S. Patent No. 7,128,067 in view of U.S. Publication No. 2004/0202617 (see pages 5-6). In view of the Terminal Disclaimer submitted herewith, Applicants request the withdrawal of the rejection of Claims 15-16, 19, and 23-30.

Claims 15-16, 19, and 23-30 stand rejected under nonstatutory obviousness-type double patenting over claims of U.S. Patent Nos.: 7,173,222; 7,167,776; 7,163,014; 7,147,170; 7,117,867; 6,923,179; 6,854,461; 7,077,130; 6,883,516; 6,799,572; 6,766,220; 6,701,922; 6,557,552; 6,516,796; and 6,501,052 in view of U.S. Publication No. 2004/0202617 (see page 6). In view of the Terminal Disclaimer submitted herewith, Applicants request the withdrawal of the rejection of Claims 15-16, 19, and 23-30.

Claims 15-16, 19, and 23-30 stand provisionally rejected under nonstatutory obviousness-type double patenting over Claims 16-18 and 24-32 of U.S. Publication No. 2005/0079137 (U.S. Patent Application No. 10/958,329) (see pages 6-7). In view of the Terminal Disclaimer submitted herewith, Applicants request the withdrawal of the rejection of Claims 15-16, 19, and 23-30.

Claims 15-16, 19, and 23-30 stand provisionally rejected under nonstatutory obviousness-type double patenting over Claims 19-28 and 32-34 of U.S. Publication No. 2004/0079368 (U.S. Patent Application No. 10/654,980) in view of U.S. Publication No. 2004/0202617 ("*Robinowitz et al*") (see pages 7-8). *Applicants note that U.S. Publication No. 2004/0079368 issued as U.S. Patent No. 6,923,179, which is cited in the Terminal Disclaimer submitted herewith. As such, this rejection is moot.*

Claims 15-16, 19, and 23-30 stand provisionally rejected under nonstatutory obviousness-type double patenting over Claims 32-50 and 59-65 of U.S. Publication No. 2004/0081624 (U.S. Patent Application No. 10/653,934) in view of U.S. Publication No. 2004/0202617 ("*Robinowitz et al*") (see pages 8-10). *Applicants note that U.S. Publication No. 2004/0081624 issued as U.S. Patent No. 7,040,314, which is cited in the Terminal Disclaimer submitted herewith. As such, this rejection is moot.*

Claims 15-16, 19, and 23-30 stand provisionally rejected under nonstatutory obviousness-type double patenting over Claims of U.S. Publication Nos.: 2004/0129793 (U.S. Patent Application No. 10/655,017, which issued as U.S. Patent No. 7,147,170); 2004/0170405 (U.S. Patent Application No. 10/795,522); 2005/0133029 (U.S. Patent No. 7,163,014); 2005/0143866 (U.S. Patent Application No. 10/871,536); 2005/0205084 (U.S. Patent Application No. 11/140,984) in view of U.S. Publication No. 2004/0202617 (see pages 10-11). Because U.S. Publication Nos. 2004/0129793 and 2005/0133029, issued as U.S. Patent Nos. 7,147,170 and

7,163,014, respectively, this rejection is moot as these are no longer pending applications. In view of the Terminal Disclaimer submitted herewith, Applicants request the withdrawal of the rejection of Claims 15-16, 19, and 23-30 over the pending '522 and '536 applications.

With respect to the rejection of Claims 15-16, 19 and 23-30 in view of claims of **2005/0126624 (U.S. Patent Application No. 10/732,646)**, Applicants traverse and assert that the scope of Claims 15-16, 19, and 23-30 of the present application is not obvious from that of U.S. Patent Application No. 10/732,646 directed to a hybrid system for generating electrical power (Claims 1-27) and related methods (Claims 28-50). Thus, Applicants respectfully request the withdrawal of the rejection of Claims 15-16, 19, and 23-30 in view of the claims of 2005/0126624 (U.S. Patent Application No. 10/732,646).

Claims 15-16, 19, and 23-30 stand provisionally rejected under nonstatutory obviousness-type double patenting over Claims 9-20 of U.S. Publication No. 2004/0223918 (U.S. Patent Application No. 10/830,463); and over Claims 32-50 of U.S. Publication No. 2004/0223917 (U.S. Patent Application No. 10/829,945) in view of U.S. Publication No. 2004/0202617 (see pages 11-12). In view of the Terminal Disclaimer submitted herewith, Applicants request the withdrawal of the rejection of Claims 15-16, 19, and 23-30.

CONCLUSION

From the foregoing, further and favorable action in the form of a Notice of Allowance is respectfully requested and such action is earnestly solicited.

In the event that there are any questions concerning this amendment, or the application in general, the Examiner is respectfully requested to telephone the undersigned so that prosecution of present application may be expedited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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By:


Loree J. Kim

Registration No. 53126

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620